

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOSHCO TECH, LLC,
Plaintiff(s),

v.

MJJ&L HOLDING, LLC, et al.,
Defendant(s).

Case No.: 2:20-cv-00428-APG-NJK

ORDER

[Docket No. 21]

Pending before the Court is the parties' proposed discovery plan, Docket No. 21, which is hereby **DENIED** without prejudice. First, in violation of the local rules, the discovery plan calculates a discovery cutoff from the Rule 26(f) conference rather than from the first defendant's appearance. *Compare id.* at 2 with Local Rule 26-1(b)(1). Second, the parties seek extra time for discovery based on the existence of a motion to dismiss and an unelaborated assertion regarding limitations arising from the current pandemic. *See id.* at 2. The mere pendency of a potentially dispositive motion is not sufficient, standing alone, to warrant a delay in the discovery process. *E.g., Kor Media Grp., LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013). With respect to the pandemic, no specific indication is made as to how that circumstance is expected to hinder the advancement of this case. Third, the parties seek to bifurcate fact and expert discovery, but the discovery plan provides no indication as to why the Court should depart from the default structure provided in the local rules in what appears to be a straightforward copyright infringement action.

1 An amended proposed discovery plan must be filed by June 2, 2020.

2 IT IS SO ORDERED.

3 Dated: May 26, 2020

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6 Nancy J. Koppe
7 United States Magistrate Judge
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